



1006 Rec'd PTO 16 SEP 2005 #4

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

  
Attorney for Applicant

Date: 12 September 2005

**US Appl. No.:** 10/525,851  
**371(c) Filing Date:** Not yet assigned  
**PCT Appl. No.:** PCT/AU2003/001086  
**Int'l Filing Date:** 26 August 2003  
**Int'l Priority Date:** 26 August 2002  
**Applicant(s):** Giles Wilson  
**Title:** A SWIMMING AID

**Art Unit:** Not yet assigned  
**Examiner:** Not yet assigned

**Docket No.:** DB001173-000

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN  
THE UNITED STATES DESIGNATED/ELECTED OFFICE**

**To:** Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office mailed September 1, 2005 in the above-identified case, enclosed please find the following items:

- a copy of the Notification of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office (2 pages);
- a properly signed Declaration (2 pages);
- a Fee Transmittal form (1 page); and
- a check in the amount of \$65 for the fee set forth in 37 CFR § 1.16(e).

Accordingly, applicant believes that the Notice to File Missing Parts has been complied with and no further action is required.

00649349.DOC

03/23/2005 GFREY1 00000146 10525851

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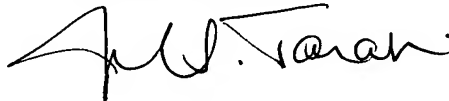
In addition, enclosed please find:

- a Power of Attorney and Correspondence Address Indication Form (PTO/SB/81).

Also enclosed is a return postcard. Please date stamp the postcard and return it to us to acknowledge receipt of these documents.

The Commissioner is hereby authorized to charge any underpayment or credit any overpayment to our Deposit Account No. 20-0888. A duplicate copy of this transmittal letter is enclosed.

Respectfully submitted,



Jenifer S. Tarasi  
Reg. No. 46,064  
THORP, REED & ARMSTRONG  
One Oxford Centre  
301 Grant Street, 14<sup>th</sup> Floor  
Pittsburgh, PA 15219-1425  
(412) 394-2360  
Attorney for Applicant

Dated: 12 September 2005

Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

# FEE TRANSMITTAL

## For FY 2005

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$)

65

## Complete if Known

Application Number 10/525,851  
 Filing Date 25 February 2005  
 First Named Inventor Giles Wilson  
 Examiner Name Not Yet Assigned  
 Art Unit Not Yet Assigned  
 Attorney Docket No. DB001173-000

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit Card ☐ Money Order ☐ None ☐ Other (please identify):☒ Deposit Account Deposit Account Number: 20-0888 Deposit Account Name:

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Charge fee(s) indicated below, except for the filing fee☒ Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17 ☒ Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

## FEE CALCULATION

## 1. BASIC FILING, SEARCH, AND EXAMINATION FEES

Application Type	FILING FEES		SEARCH FEES		EXAMINATION FEES		Fees Paid (\$)
	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	Fee (\$)	Small Entity Fee (\$)	
Utility	300	150	500	250	200	100	
Design	200	100	100	50	130	65	
Plant	200	100	300	150	160	80	
Reissue	300	150	500	250	600	300	
Provisional	200	100	0	0	0	0	

## 2. EXCESS CLAIM FEES

Fee Description	Fee (\$)	Small Entity Fee (\$)
Each claim over 20 (including Reissues)	50	25
Each independent claim over 3 (including Reissues)	200	100
Multiple dependent claims	360	180

Total Claims Extra Claims Fee (\$)

- 20 or HP = x =

HP = highest number of total claims paid for, if greater than 20.

Indep. Claims Extra Claims Fee (\$)

- 3 or HP = x =

HP = highest number of independent claims paid for, if greater than 3.

## 3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

Total Sheets Extra Sheets Number of each additional 50 or fraction thereof Fee (\$)

- 100 = / 50 = (round up to a whole number) x =

## 4. OTHER FEE(S)

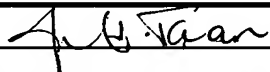
Non-English Specification, \$130 fee (no small entity discount)

Other (e.g., late filing surcharge): late surcharge Fee for Declaration

Fees Paid (\$)

65

## SUBMITTED BY

Signature  Registration No. 46,064 Telephone 412-394-2360

Name (Print/Type) Jenifer S. Tarasi Date 12 September 2005

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

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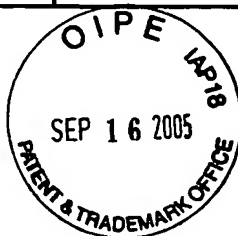


## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
 Address: COMMISSIONER FOR PATENTS  
 P.O. Box 1450  
 Alexandria, Virginia 22313-1450  
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/525,851	Giles Wilson	DB001173-000

Richard J coldren  
 Thorp Reed & Armstrong  
 One Oxford Centre  
 301 Grant Street 14th Floor  
 Pittsburgh, PA 15219-1425



INTERNATIONAL APPLICATION NO.	
PCT/AU03/01086	
LA. FILING DATE	PRIORITY DATE
08/26/2003	08/26/2002

CONFIRMATION NO. 9604  
 371 FORMALITIES LETTER  
 \*OC000000016909852\*  
 \*OC000000016909852\*

Date Mailed: 09/01/2005

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 02/25/2005
- Copy of the International Search Report filed on 02/25/2005
- Preliminary Amendments filed on 02/25/2005
- Information Disclosure Statements filed on 02/25/2005
- Request for Immediate Examination filed on 02/25/2005
- U.S. Basic National Fees filed on 02/25/2005
- Priority Documents filed on 02/25/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

#### SUMMARY OF FEES DUE:

Total additional fees required for this application is \$65 for a Small Entity:

- \$65 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

JOHN L ANDERSON

Telephone: (703) 308-9140 EXT 211

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/525,851	PCT/AU03/01086	DB001173-000